

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

DARIAN CHANEY

CASE NO. 2:24-CV-00052

VERSUS

JUDGE JAMES D. CAIN, JR.

JOHN S CRAFT ET AL

MAGISTRATE JUDGE LEBLANC

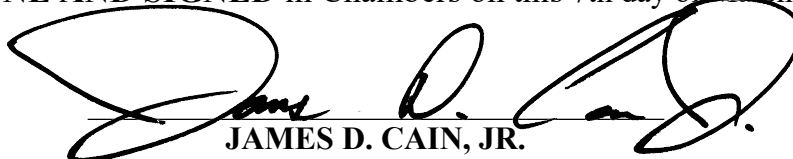
MEMORANDUM RULING

Before the Court is a “Partial Motion to Dismiss Pursuant to Fed. R. Civ. Pr. 12(b)(6) for Failure to State a Claim” (Doc. 6) filed by Defendants, Sheriff John S. Craft, Dustin Fulks, and Heather Patterson. Defendants Fulks and Patterson move to dismiss any claims brought by Plaintiff in their official capacity under 42 U.S.C. § 1983, and Defendant, Sheriff Craft, moves to dismiss any *Monell* claims asserted against Sheriff Craft in his official capacity.

In his response, counsel for Plaintiff concedes that Defendants’ motion should be granted inasmuch that the defendant deputies’ claims should only have been filed in their individual capacities, and furthermore Plaintiff did not intend to allege (raise) any *Monell* claims.¹ Plaintiff agrees that the motion should be granted as to these claims.²

Accordingly, the motion will be granted as to these claims.

THUS DONE AND SIGNED in Chambers on this 7th day of March, 2024.


JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE

¹ Plaintiff’s “Memorandum in Response to Defendants’ Motion for Judgment on the Pleadings” Doc. 9, p. 1.

² *Id.*